

Adopted	Rejected
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COMMITTEE REPORT

YES:	9
NO:	2

MR. SPEAKER:

*Your Committee on Interstate and International Cooperation, to which was referred Senate Bill 454, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 3, line 30, strike "and".
- 2 Page 3, line 37, delete "." and insert "; and".
- 3 Page 3, line 38, delete "(e) Any", begin a new line block indented
- 4 and insert:
- 5 "(13) any".
- 6 Page 4, line 4, reset in roman "(e)".
- 7 Page 4, line 4, delete "(f)".
- 8 Page 4, line 8, reset in roman "(f)".
- 9 Page 4, line 8, delete "(g)".
- 10 Page 4, line 11, strike "chapter," and insert "**article**".
- 11 Page 4, line 14, reset in roman "(g)".
- 12 Page 4, line 14, delete "(h)".
- 13 Page 4, line 23, strike "chapter" and insert "**article**".
- 14 Page 5, line 16, strike "chapter," and insert "**article**".
- 15 Page 5, line 39, strike "chapter" and insert "**article**".
- 16 Page 5, line 40, strike "chapter" and insert "**article**".

- 1 Page 5, line 42, strike "chapter." and insert "**article**".
- 2 Page 6, line 3, strike "chapter" and insert "**article**".
- 3 Page 6, line 7, strike "chapter," and insert "**article**".
- 4 Page 6, line 15, strike "chapter" and insert "**article**".
- 5 Page 6, line 16, after "of this" strike "chapter" and insert "**article**".
- 6 Page 6, line 16, after "in this" strike "chapter" and insert "**article**".
- 7 Page 6, line 19, after "thereof." insert "**Except as specifically**
- 8 **authorized by the general assembly, the commission may not**
- 9 **pledge, in any form, to:**
- 10 (1) seek funding from the state in the event of any default in
- 11 the payment of revenue bonds; or
- 12 (2) specify, in any form, in an agreement related to revenue
- 13 bonds that money appropriated by the general assembly may
- 14 or shall be deposited in a debt service fund or reserve fund for
- 15 the revenue bonds;
- 16 if the revenue bonds or agreement relate to a project that is not
- 17 part of a project related to property that qualifies as a port under
- 18 section 2(b)(1) of this chapter."
- 19 Page 8, line 12, after "or" strike "port".
- 20 Page 9, line 8, strike "However, the employment of an".
- 21 Page 9, strike lines 9 through 10.
- 22 Page 9, line 20, strike "chapter."
- 23 Page 9, line 20, after "and" insert "**article**".
- 24 Page 9, line 23, after "commission." insert "**However, this**
- 25 **subdivision does not authorize the commission to include any**
- 26 **language in a revenue bond that would create a moral obligation**
- 27 **on the part of the state to pay any part of the obligation related to**
- 28 **a project that is not part of a project related to property that**
- 29 **qualifies as a port under section 2(b)(1) of this chapter in the event**
- 30 **of a default by the commission."**
- 31 Page 10, line 7, strike "chapter," and insert "**article**".
- 32 Page 12, line 2, strike "chapter."
- 33 Page 12, line 2, after "That" insert "**article**".
- 34 Page 12, line 23, after "bonds" insert "**under IC 8-10-4**".
- 35 Page 14, line 22, delete "." and insert "**under this chapter or**
- 36 **IC 8-10-4**".
- 37 Page 15, line 5, strike "chapter" and insert "**article**".
- 38 Page 15, line 17, delete "chapter" and insert "**article**".

- 1 Page 15, line 19, delete "chapter." and insert **"article."**
- 2 Page 16, line 2, delete "chapter" and insert **"article"**.
- 3 Page 16, line 3, strike "chapter" and insert **"article"**.
- 4 Page 16, line 13, delete "," and insert **"or IC 8-10-4-2,"**.
- 5 Page 16, line 22, strike "chapter" and insert **"article"**.
- 6 Page 16, line 29, delete "." and insert **", except as provided in**
- 7 **IC 8-10-4."**
- 8 Page 16, line 38, delete "." and insert **", except for self liquidating**
- 9 **projects under IC 8-10-4."**
- 10 Page 20, line 2, strike "chapter" and insert **"article"**.
- 11 Page 20, line 18, strike "chapter" and insert **"article"**.
- 12 Page 20, line 26, strike "chapter" and insert **"article"**.
- 13 Page 21, line 1, delete "chapter" and insert **"article"**.
- 14 Page 22, between lines 27 and 28, begin a new line block indented
- 15 and insert:
- 16 **"(c) IC 4-13.6, IC 5-16 (other than IC 5-16-7), IC 8-10-1-7(12),**
- 17 **IC 8-10-1-29, and IC 36-1-12 do not apply to projects to be**
- 18 **leased to a private party whose payments are expected to be**
- 19 **sufficient to pay all debt service on bonds issued by the**
- 20 **commission to finance the project. However, the commission**
- 21 **and the private party must comply with IC 5-16-7."**
- 22 Page 23, after line 8, begin a new paragraph and insert:
- 23 **"SECTION 30. IC 8-10-4-6 IS ADDED TO THE INDIANA CODE**
- 24 **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
- 25 **1, 2003]: Sec. 6. The following provisions apply to this chapter:**
- 26 **(1) IC 8-10-1-4.**
- 27 **(2) IC 8-10-1-10.**
- 28 **(3) IC 8-10-1-13.**
- 29 **(4) IC 8-10-1-14.**
- 30 **(5) IC 8-10-1-15.**
- 31 **(6) IC 8-10-1-16.**
- 32 **(7) IC 8-10-1-19.**
- 33 **(8) IC 8-10-1-25.**
- 34 **(9) IC 8-10-1-27.**
- 35 **(10) IC 8-10-1-30.**
- 36 **SECTION 31. IC 8-16-1-26 IS AMENDED TO READ AS**
- 37 **FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 26. (a) This section**
- 38 **applies only to a bridge that:**

(1) was constructed under this chapter **or was acquired under this chapter and IC 8-16-15;** and

(2) crosses the Wabash River.

(b) Notwithstanding any other provisions of this chapter, a bridge subject to this section does not become a part of the system of state highways free of tolls or a tollway under IC 8-15-3 when bonds are retired and all funds fully reimbursed.

(c) Money collected for the use of a bridge subject to this section shall be allocated to the authority and used for the following purposes:

(1) Operation of ~~the a~~ toll bridge facility **described in subsection (a).**

(2) Maintenance of ~~the a~~ toll bridge facility **described in subsection (a).**

(3) ~~A reserve fund for future toll bridges over the Ohio River to be located within the same county in which the bridge subject to this section is located.~~

(3) The acquisition of a bridge described in IC 8-16-15.

SECTION 32. IC 8-16-15-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 0.5. Notwithstanding sections 1 and 2 of this chapter, the Indiana transportation finance authority is not required to purchase the bridge described in section 1 of this chapter unless the Indiana transportation finance authority determines that at least three million one hundred thousand dollars (\$3,100,000) of federal funding has been made available for the following purposes:**

(1) **Immediate repairs necessary to keep the bridge in operation.**

(2) **Short term repairs necessary to extend the bridge's useful life for five (5) to ten (10) years.**

(3) **Annual operating expenses for the remainder of the bridge's useful life.**

SECTION 33. IC 8-16-15-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. Subject to the provisions of this chapter **and IC 8-16-1,** ~~the department is hereby authorized and empowered to~~ **Indiana transportation finance authority shall** enter into negotiations with the proper authority having control of the state highways of the state of Illinois, and with the

1 owners of the bridge ~~which that~~ spans the Wabash River and over
2 which State Highway No. 66 passes from ~~this state~~ **Indiana** into the
3 state of Illinois, for the purpose of acquiring the ownership of and title
4 to ~~such the~~ bridge jointly, ~~by the state of Illinois and in the name of~~ the
5 state of Indiana.

6 SECTION 34. IC 8-16-15-2 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. ~~If the proper~~
8 ~~authorities of the state of Illinois are empowered by the laws of the~~
9 ~~state of Illinois to enter into such negotiations, and if the department~~
10 ~~and the authority having charge of the state highways of the state of~~
11 ~~Illinois can agree with the owners of such bridge on the purchase-price~~
12 ~~of such bridge, then and in that event the department is hereby~~
13 ~~authorized and empowered to acquire the ownership of and the title to~~
14 ~~such bridge, jointly, with the state of Illinois, to pay not to exceed fifty~~
15 ~~percent (50%) of (a) The Indiana transportation finance authority~~
16 ~~shall pay~~ the purchase price agreed upon **under section 1 of this**
17 **chapter** out of any funds appropriated to the department which might
18 ~~otherwise be used for the construction of bridges, and to available to~~
19 **the authority.**

20 **(b) The Indiana transportation finance authority may** enter into
21 ~~such~~ agreements with the proper authorities of the state of Illinois as
22 may be fair and equitable for the repair, maintenance, and upkeep of
23 ~~such the~~ bridge and to expend ~~such amounts of the~~ money as ~~may be~~
24 necessary to maintain ~~such the~~ bridge.

1 (c) After acquiring the bridge described in section 1 of this
2 chapter, the Indiana transportation finance authority shall operate
3 and maintain the bridge under IC 8-16-1."

4 Renumber all SECTIONS consecutively.
 (Reference is to SB 454 as printed February 19, 2003.)

and when so amended that said bill do pass.

Representative Kromkowski